

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE BEXTRA AND CELEBREX
MARKETING, SALES PRACTICES AND
PRODUCTS LIABILITY LITIGATION

Master Docket No. M:05-CV-01699-CRB
MDL No. 1699

THIS RELATES TO:
MDL Case No. 06-6077-CRB

STIPULATION AND PROPOSED
DISMISSAL WITHOUT PREJUDICE AS TO
ONLY BRETT BATES

Plaintiff, Brett Bates, and defendant, Pfizer, Inc., by respective counsel undersigned, pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, hereby stipulate that the claims of only Brett Bates be dismissed without prejudice, with each side bearing its own attorneys' fees and costs.

Should plaintiff or their lawful representative(s) attempt to re-file this claim against defendant, he shall do so only be re-filing in the United States District Court.

Dated: July 30, 2007.

MATTHEWS & GUILD, P.A.

By: ¹ _____
Floyd L. Matthews, Jr.
Florida Bar No. 182511
2237 Riverside Avenue
Jacksonville, FL 32204
(904) 384-0505
(904) 384-0555, facsimile
fmatthews@matthewsguild.com

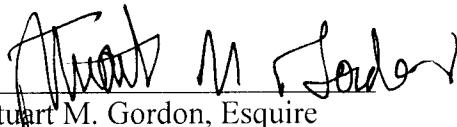
Attorneys for Plaintiff,
Brett Bates

¹ I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.

GORDON & REES, LLP

7/30/07

By:


Stuart M. Gordon, Esquire
California Bar No. 37477
275 Battery Street, Suite 2000
San Francisco, California 94111
(415) 986-5900
(415) 262-3801, facsimile
sgordon@gordonrees.com

Attorneys for Defendant,
Pfizer, Inc.

THE FOREGOING STIPULATION
IS APPROVED AND IS SO ORDERED.

DATED: Aug. 8, 2007

